

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SUSANNE R. HURD,

Plaintiff,

v.

NEBRASKA DEPARTMENT OF HEALTH
AND HUMAN SERVICES, KEN PAXON,
Attorney General for Child Support Agency
of Texas; and GEORGE HARWOOD,

Defendants.

8:21CV75

ORDER

This matter is before the Court on pro se plaintiff Susanne R. Hurd's (also known as Susanne Becker, "Becker") Motion for Appeal (Filing No. 73) of the Court's Memorandum and Order, dated August 10, 2021 (Filing No. 63). She did not pay the filing fee required for a notice of appeal, nor did she file a motion to proceed in forma pauperis. Becker has also filed numerous documents with the Court since her Motion for Appeal. Because the Court has not entered a final judgment in this matter, it construes her motion as one for an interlocutory appeal.

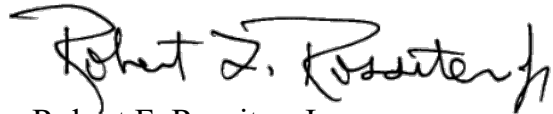
Under 28 U.S.C. § 1292(b), an interlocutory appeal is warranted only if the decision sought to be appealed "involves a controlling question of law as to which there is substantial ground for difference of opinion and that an immediate appeal from the order may materially advance the ultimate termination of the litigation." In the Court's Memorandum and Order, it granted some of the then-defendants' motions to dismiss based on immunity, personal jurisdiction, and failure to state a claim upon which relief can be granted. It also denied defendant Nebraska Department of Health and Human Services' motion to dismiss (Filing No. 27), without prejudice, and Becker's motions to transfer (Filing Nos. 43 and 49). There is no "controlling question of law" implicated here, nor is there a substantial ground for difference of opinion. Finding no compelling reason to grant

Becker's motion for an interlocutory appeal, her Motion for Appeal (Filing No. 73), construed as a Motion for Interlocutory Appeal, is denied.

IT IS SO ORDERED.

Dated this 5th day of October 2021.

BY THE COURT:

A handwritten signature in black ink, reading "Robert F. Rossiter, Jr." with a stylized flourish at the end.

Robert F. Rossiter, Jr.
Chief United States District Judge